

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Janet Gooding	Team: Team # 4	CCRB Case #: 200605470	<input checked="" type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Tuesday, 04/25/2006 3:51 PM	Location of Incident: 39th St & Queens Boulevard	Precinct: 108	18 Mo. SOL 10/25/2007	EO SOL 10/25/2007	
Date/Time CV Reported Wed, 04/26/2006 1:46 PM	CV Reported At: IAB	How CV Reported: Phone	Date/Time Received at CCRB Fri, 04/28/2006 1:46 PM		

Complainant/Victim	Type	Home Address
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]

Subject Officer(s)	Shield	TaxID	Command
1. POM James Lee	20964	930421	108 PCT

Officer(s)	Allegation	Investigator Recommendation
A.POM James Lee	Discourtesy: PO James Lee spoke rudely to § 87(2)(b) [REDACTED]	[REDACTED]
B.POM James Lee	Force: PO James Lee used physical force against § 87(2)(b) [REDACTED]	[REDACTED]

Synopsis

At 3:51 p.m. on April 25, 2006, § 87(2)(b) reported to the Internal Affairs Bureau that PO James Lee “manhandled” her § 87(2)(b)-old friend, § 87(2)(b) assumed that PO Lee got upset with § 87(2)(b) because she was “running her mouth.” § 87(2)(b) alleged that PO Lee threw § 87(2)(b) against a wall and then onto the ground and told her that she had a big mouth. PO Lee placed § 87(2)(b) into a van and called her “stupid” and “a retard.”

During a telephone conversation with § 87(2)(b) on May 8, 2006, she stated that at the time of incident there was a fight at her school. PO Lee told her to leave the location, but § 87(2)(b) “walked around in circles.” PO Lee asked § 87(2)(b) if she thought that the matter was a “fucking joke.” He then grabbed her, threw her against a wall and then onto the ground. § 87(2)(b) admittedly resisted arrest by moving her body. She was subsequently transported to the 108th Precinct stationhouse and charged with disorderly conduct.

From May 2, 2006 though June 19, 2006, nine telephone calls were made and six contact letters were mailed to § 87(2)(b) and § 87(2)(b) in an attempt to obtain an official statement from them.

Telephone calls were made to § 87(2)(b) and § 87(2)(b) on May 2, 2006, May 10, 2006, May 16, 2006, May 30, 2006, June 5, 2006 and June 19, 2006. Letters were mailed to them on May 2, 2006, May 16, 2006 and June 19, 2006.

During the May 8, 2006, telephone conversation, § 87(2)(b) scheduled an interview appointment for May 11, 2006. However, she failed to show up for that appointment and did not call to cancel or reschedule. On May 19, 2006, this investigator spoke with § 87(2)(b) s mother. § 87(2)(b) stated that she spoke with PO Lee at Family Court, and that she was getting conflicting information as to what led up to her daughter’s arrest. § 87(2)(b) wanted to discuss the incident with family members before allowing § 87(2)(b) to proceed with this investigation.

On May 30, 2006, § 87(2)(b) stated that she wanted her daughter to withdraw this complaint, because the parents of students that witnessed the incident did not want to give their permission for them to participate in this case. Despite assurances that the CCRB would contact those parents, § 87(2)(b) felt that it was in her daughter’s best interest to withdraw her complaint. A message was left with § 87(2)(b) for § 87(2)(b) to contact the CCRB so as to obtain a personal withdrawal statement.

As of the date of this report, § 87(2)(b) has not contacted the CCRB to formally withdraw her complaint, and she failed to respond to telephone messages that were left on her answering machine on June 5, 2006 and on June 19, 2006. She also failed to respond to a letter that was mailed on the latter date.

During a telephone conversation with the complainant, § 87(2)(b) on June 5, 2006, she stated that she would only participate in this investigation if § 87(2)(b) participates. § 87(2)(b) also failed to respond to a final letter that was mailed on June 19, 2006. § 87(2)(g)

Investigator: Janet Gooding

Date: June 21, 2006

Supervisor:

Date:

Reviewed by:

Date:

Reviewed by:

Date: